

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/517,682 Confirmation No.: 3035
Applicant(s): Oh, Young-Min
Filed: July 5, 2005
Art Unit: 2631
Examiner: Alam, Fayyaz
Title: DEVICE AND METHOD FOR MEASURING RECEIVE SENSITIVITY OF
COMMUNICATION SYSTEM INCLUDING RECEIVE-ONLY PATH

Docket No.: 038779/286036
Customer No.: 00826

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Date: May 17, 2007

Type of Interview: Telephonic

Participants: Applicant's representative, Karl Koster

Examiner F. Alam

Exhibits shown or demonstrated: No

Claims discussed: Claim 11

Prior Art Documents Discussed: U.S. Patent 5,752,165 and GB 2272604

Substance of Interview:

Applicant focused discussion on the patentability of claim 11 in light of the prior art. Applicant noted that the basis of rejection for claim 11 in the past Office Action recited aspects which appears to combine portions of the embodiment of Figure 1 and 5 of GB 2272604, and therefore the rejection was improper.

Applicant further indicated that the combination of the '165 patent and the GB '604 patent did not disclose all the limitations of claim 11, because a separate transmitter for transmitting a test signal would not be using the "transmit-and receive" path of the system, but rather a separate one. The Examiner considered the '165 patent to disclose that the "transmitter" sending the test signal could be the transmitter in the transmitter/receiver in the base station, not necessarily a separate remote transmitter. In response, the Applicant submitted that the combination would be improper, as the '165 patent discloses sending a test signal that does not use an antenna, whereas the '604 patent discloses that an antenna is used, and that combination of the two would require re-engineering the '165 into an embodiment that is not disclosed.

The Examiner responded that he was of the opinion that the prior art anticipated or rendered obvious claim 11 and would not allow claim 11.

Conclusion

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Karl Koster
Registration No. 50,684

Appl. No.: 10/517,682
Interview Summary: May 18, 2007

<p>Customer No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000 Fax Atlanta Office (404) 881-7777</p>	<p style="text-align: center;">CERTIFICATION OF ELECTRONIC FILING</p> <p>I hereby certify that this paper is being filed via the Electronic Filing System (EFS) to the United States Patent and Trademark Office on the date shown below.</p> <p><u>Shana Moore</u> <u>5.18.07</u> Shana Moore Date</p>
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